

REMARKS

Reconsideration of the above-identified application, as amended, is respectfully requested.

In the Official Action dated August 6, 2003, the Examiner first objected to the specification as failing to provide proper antecedent basis for the claimed subject matter under 37 C.F.R. §1.75(d)(1) and MPEP §608.01(o). Specifically the Examiner has alleged difficulty in finding proper antecedent basis for the claimed limitations "a control mechanism" and a "mechanism for interfacing with a second computing device". Furthermore, the Examiner rejected the Claims 1 and 3-15 under 35 U.S.C. §112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Furthermore, the Examiner rejected the Claims 1 and 3-15 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The 35 U.S.C. §112, first and second paragraph rejections, all stem from the limitations in Claim 1 directed to "a control mechanism" and "a means for interfacing with a second computing device". The Examiner did indicate that Claims 16-27 were directed to allowable subject matter.

While the Examiner suggests that an amendment to the specification to provide support in the written description to clearly set forth the meaning of the above limitations is warranted, applicants hereby amend Claim 1 to remove the language directed to a "control mechanism" and in addition, remove the language directed to a "mechanism for interfacing

with a second computing device". Rather, Claim 5 is being canceled and the subject matter there in being incorporated in amended Claim 1 to clearly set forth a mechanism for communicating the personalized user preferences from the first computer device to the memory storage and further communicating the personalized user preferences from the memory storage device to a same user application executing on a second computing device for altering the user application in accordance with the user customized aspects.

Respectfully full support is found in the specification for this limitation. First of all, passages in the specification detail the communication mechanism features in the smart pointer device, e.g., as set forth in the specification at page 10, lines 14-21, to wit:

...A communication subsystem manager 260 is provided to handle events from communication channels and pass the events to the right application to set things up for data transfers to proceed. In accordance with the principles of the invention, the synchronization manager 250 is provided to synchronize data transfer between the Personal pointer device and the other devices...

Further, Figures 1-2 illustrate the hardware elements supporting the communication functionality of the present invention including (besides a CPU 55 and mother board 55 of Figure 2), an RF (Bluetooth, Modem) transceiver device, and PCMCIA and USB interfaces (Figure 1). As applicants have previously argued in their previous response of May 20, 2003, page 7 lines 22-30 of the present specification discusses wired or wireless interface functionality provided by Asynchronous Receiver Transmitter (UART) devices, and particularly describes on page 7, lines 24-28, a UART device (e.g., UART2) that provides support for data download functionality, e.g., from a PC or network server. Applicant respectfully submits that each of these passages describes aspects of a communications mechanism used for transferring of information between devices. Further, it is respectfully

submitted that one skilled in the art would clearly be able to program a smart pointer device to include functionality that is depicted at step 513 (Figure 4(a)) for copying preferences stored in the smart pointer device from the device to register the preferences with a common application on the visited device. Thus, in light of this rejection, it is respectfully submitted that proper antecedent basis is provided for the "communication mechanism" recitations and respectfully, no new matter is being submitted. Claims 6 and 7 are additionally being amended to properly depend from currently amended Claim 1 and to conform with antecedent language in amended Claim 1.

Respectfully, it is submitted that applicants have amended Claim 1 for clarification purposes and, to more definitively place the application in better form for appeal.

In light of the amendment removing language in Claim 1 directed to "control mechanism" and "mechanism for interfacing", the rejections of Claims 1, 3, 4 and 6-15 based on 35 U.S.C. §112, first and second paragraph rejections are obviated.

In view of the foregoing, the Examiner is respectfully requested to remove the objections to the specification and, to withdraw the rejections based on 35 U.S.C. §112, first and second paragraphs.

In view of the foregoing remarks herein, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance be issued. If the Examiner believes that a telephone conference with the Applicants' attorneys would be advantageous to the disposition

of this case, the Examiner is requested to telephone the undersigned, Applicants' attorney, at the following telephone number: (516) 742-4343.

Respectfully submitted,

John S. Sensny
John S. Sensny
Registration No. 28,757

Scully, Scott, Murphy & Presser
400 Garden City Plaza
Garden City, New York 11530
(516) 742-4343

SF:gc

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